

**SUBDIVISION,  
PLANNED UNIT DEVELOPMENT,  
PLANNING APPROVAL, REZONING &  
SIDEWALK WAIVER STAFF REPORT**

**Date: February 7, 2013**

**APPLICANT NAME**

S. E. Cemeteries of AL & S. E. Funeral Home of AL

**SUBDIVISION NAME**

Pinecrest East Subdivision

**DEVELOPMENT NAME**

Pinecrest East Subdivision

**LOCATION**

1939 Dauphin Island Parkway  
(Northeast corner of Dauphin Island Parkway and Military  
Road, extending to the West side of Perimeter Road and to  
the South side of Neshota Drive)

**CITY COUNCIL  
DISTRICT**

Council District 3

**PRESENT ZONING**

R-1, Single Family Residential, R-3, Multi-Family  
Residential & B-3, Commercial Business District

**PROPOSED ZONING**

R-1, Single-Family Residential District

**AREA OF PROPERTY**

3 Lots/127.1± Acres

**CONTEMPLATED USE**

Subdivision Approval to create three legal lots of record from seven metes and bounds parcels; Planned Unit Development to allow shared access and multiple buildings on multiple building site, Planning Approval to allow a funeral home with crematorium and cemetery in an R-1, Single-Family Residential District, rezoning from R-1, Single-Family Residential District, R-3, Multi-Family Residential and B-3, Community Business District, to R-1, Single-Family Residential District to eliminate split zoning in a proposed subdivision and Sidewalk Waiver request to waive construction of sidewalks along Dauphin Island Parkway, Military Road and Perimeter Road.

**It should be noted, however, that any use permitted in the proposed district would be allowed at this location if the zoning is changed. Furthermore, the Planning Commission may consider zoning classifications other than that sought by the applicant for this property.**

**TIME SCHEDULE  
FOR DEVELOPMENT**

Immediate

**ENGINEERING****COMMENTS**

The following comments should be addressed prior to review, acceptance and signature by the City Engineer: 1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes); 2. Provide a signature block and signature from the Traffic Engineering Department; 3. Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); 4. Add a note to the PUD drawing stating that a Land Disturbance Permit will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); 5. Add a note that any work within the Gatotkoko Road ROW will require a City of Mobile ROW Permit – Engineering Department (208-6070); 6. Add a note that any work within the Dauphin Island Parkway ROW will require a Permit from ALDOT – 9<sup>th</sup> Division; and 7. Add a note that any sidewalk work within the Dauphin Island Parkway ROW will require a City of Mobile ROW Permit – Engineering Department (208-6070).

Sidewalk Waiver: Due to the existing site conditions, existing drainage ditches, and limited usable land adjacent to the existing roadways it is recommended that this request be approved for Gatotkoko Road (Military Rd) and Perimeter Road.

Due to the existing sidewalk on the west side of Dauphin Island Parkway from Military Rd up to Nicholas Lane and then from Magnolia Lane to Neshota Dr. It is recommended that this request be approved for Dauphin Island Parkway.

**TRAFFIC ENGINEERING****COMMENTS**

Driveway number, size, location and design to be approved by Traffic Engineering (and ALDOT for Dauphin Island Parkway, if necessary) and conform to AASHTO standards.

**URBAN FORESTRY****COMMENTS**

Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64).

**FIRE DEPARTMENT****COMMENTS**

All projects within the City of Mobile Fire Jurisdiction must comply with the requirements of the 2009 International Fire Code, as adopted by the City of Mobile.

**MAWSS****COMMENTS**

MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering, Inc.

**REMARKS**

The applicant is requesting Subdivision Approval to create three legal lots of record from seven metes and bounds parcels; Planned Unit Development to allow shared access and multiple buildings on multiple building sites, Planning Approval to allow a funeral home with crematorium and cemetery in an R-1, Single-Family Residential District, rezoning from R-1, Single-Family Residential District, R-3, Multi-Family Residential and B-3, Community Business District, to R-1, Single-Family Residential District to eliminate split zoning in a proposed subdivision and Sidewalk Waiver request to waive construction of sidewalks along Dauphin Island Parkway, Military Road and Perimeter Road.

The applicant states Pinecrest Cemetery is proposing the 3-lot subdivision of its property to allow the creation of individual lots for the funeral home, the proposed crematorium, and the existing cemetery.

Subdivision review examines the site with regard to promoting orderly development, protecting general health, safety and welfare, and ensuring that development is correlated with adjacent developments and public utilities and services, and to ensure that the subdivision meets the minimum standards set forth in the Subdivision Regulations for lot size, road frontage, lot configuration, etc.

The proposed lots, as depicted, meet the minimum size and frontage requirements as regulated by the Subdivision Regulations. The lot area sizes are depicted on the plat in square feet/acres, and this information should be retained on the Final Plat, if approved. The 25-foot minimum building setback line is depicted as well, and this should also be retained along all public street frontages on the Final Plat, if approved.

The proposed Lot 1 fronts Dauphin Island Parkway and Gatotkoco Drive (Old Military Road). Dauphin Island Parkway is a major street as shown on the Major Street Plan Component of the Comprehensive Plan. The Plan requires a right-of-way width of 100-feet for Dauphin Island Parkway and the preliminary plat illustrates a variable right-of-way. Therefore, the dedication sufficient to provide 50-feet from the centerline of Dauphin Island Parkway, would be required. Gatotkoco Drive is a minor street, provided with curb and gutter, requires 50-foot right-of-way, the preliminary plat illustrates 40-feet of right-of-way. Section V.B.14. of the Subdivision Regulations requires minor streets provided with curb and gutter to have a minimum right-of-way of 50 feet. Additionally, Section V.B.16. of the Subdivision Regulations requires a minimum curb radius at intersecting streets. As such, dedication sufficient to provide 25 feet from the centerline of Gatotkoco Drive (Old Military Road) and compliance with Section V.B.16., in regards to curb radii should be required at the intersection of Dauphin Island Parkway and Gatotkoco Drive (Old Military Road).

The accompanying site plan is incomplete, in that, it does not indicate parking, dumpster location, landscaping & trees and lighting. Current aerials illustrate six curb cuts to the development, three to Dauphin Island Parkway and three to Gatotkoco Drive (Old Military Road). With approximately 2,361 linear feet along Dauphin Island Parkway and 1,690 linear feet along Gatotkoco Drive (Old Military Road) the number of curb cuts is not an issue; however, a note should be placed on the Final Plat limiting the development to the existing curb

cuts and any improvements to the existing curb cuts, must be approved by Traffic Engineering and ALDOT and comply with AASHTTO standards.

The geographic area defined by the city of Mobile and its planning jurisdiction, including this site, may contain Federally-listed threatened or endangered species as well as protected non-game species. Development of the site must be undertaken in compliance with all local, state and Federal regulations regarding endangered, threatened or otherwise protected species.

As previously stated, approval of the Subdivision Request would result in a lot split zoned R-1, Single Family Residential, R-3, Multi-Family Residential and B-3, Commercial Business District. As such, a rezoning application is included to eliminate the split zoning by requesting rezoning to R-1 for the entire 3-lot development.

As stated in Section 64-9 of the Zoning Ordinance, the intent of the Ordinance and corresponding Zoning Map is to carry out the comprehensive planning objective of sound, stable and desirable development. While changes to the Ordinance are anticipated as the city grows, the established public policy is to amend the ordinance only when one or more of the following conditions prevail: 1) there is a manifest error in the Ordinance; 2) changing conditions in a particular area make a change in the Ordinance necessary and desirable; 3) there is a need to increase the number of sites available to business or industry; or 4) the subdivision of land into building sites makes reclassification of the land necessary and desirable.

It should be noted that the rezoning site is depicted as commercial and residential on the General Land Use Component of the Comprehensive Plan, which is meant to serve as a general guide, not a detailed lot and district plan or mandate for development. Moreover, the General Land Use Component allows the Planning Commission and City Council to consider individual cases based on additional information such as the classification request, the surrounding development, the timing of the request, and the appropriateness and compatibility of the proposed use and zoning classification. However, the primary reason for this application is to eliminate the split-zoning created by the subdivision; thus, it will have minimal impact on the surrounding area.

The applicant states that condition number four of the acceptable conditions for rezoning is occurring at this site, as was previously mentioned. As such, rezoning would seem to be appropriate for the entire development. Since the entire development is an existing cemetery and the only improvement proposed is to add a crematorium, it would be appropriate to include this area to be rezoned to R-1 as well. As stated in the Section 64, Chart of Permitted Uses, cemeteries are NOT allowed within B-3 districts; but are allowed with Planning Approval in R-A, R-1, R-2 & R-3 districts.

As, the Planning Commission may consider zoning classifications other than that sought by the applicant, in this particular case rezoning the entire development to R-1 would be appropriate.

As stated in Section 64-5 of the Zoning Ordinance, Planned Unit Development review examines the site with regard to its location to ensure that it is generally compatible with neighboring uses; that adequate access is provided without generating excess traffic along minor residential streets in residential districts outside the PUD; and that natural features of the site are taken into

consideration. PUD review also examines the design of the development to provide for adequate circulation within the development; to ensure adequate access for emergency vehicles; and to consider and provide for protection from adverse effects of adjacent properties as well as provide protection of adjacent properties from adverse effects from the PUD. PUD approval is site plan specific, thus any changes to the site plan must be approved by the Planning Commission.

The review required for Planning Approval examines the applicant's location and site plan with regard to transportation, parking and access, public utilities and facilities, traffic congestion and hazard, and to determine if the proposal is in harmony with the orderly and appropriate development of the district. Planning Approval is site plan and use specific, thus any future changes to the site or operation of the facilities will require additional Planning Approval.

Currently, the site is developed with several structures; a funeral home, maintenance building, several mausoleums, the proposed addition of the crematorium and the proposed addition of six parking spaces on Lot 2; however, the site plan does not illustrate uses associated with any existing structures. Landscaping and trees are not illustrated on the site plan, which would illustrate the size and type of trees that could be used for credits and if the site meets the minimum landscaping and tree planting requirements of the Ordinance; however, the majority of the site is landscaped and has numerous large trees and should not have a problem complying with the Ordinance. As such, full compliance with the landscaping and tree planting requirements of the zoning ordinance would be required.

Lot 2 is the only lot with proposed construction, the plan illustrates no other improvements to the site, such as surface for parking and maneuvering, lighting, buffering and the provision of dumpster facilities. The site abuts a residentially zoned and developed R-3 district to the north; a buffer compliance with Section 64-4.D.1. of the Zoning Ordinance should be provided.

The applicant is requesting waiver for the construction of a sidewalk along Dauphin Island Parkway, Military Road and Perimeter Road. The applicant states that sidewalks are not conducive to this area based on constraints, location near the interstate, the location of trees and ditches within the sidewalk area would need to be addressed along with the existing utilities.

The sidewalk waiver site is located in a commercial area. There are sidewalks along Dauphin Island Parkway and Gatokoko Drive within the area of the proposed Lot 1, but nowhere else along Dauphin Island Parkway and Gatokoko Drive (Old Military Road). It should be mentioned bus route 11 outbound and inbound pass the location along Dauphin Island Parkway, and currently provide two bus stops in front of the development. Perimeter Road, is not a public right-of-way; therefore, the applicant would not be required to provide a sidewalk, and that the waiver should be approved. However, a waiver of the sidewalk along Dauphin Island Parkway, as requested, would limit accessibility for pedestrians and transit riders.

City of Mobile Engineering comments state that due to the existing site conditions, existing drainage ditches, and limited usable land adjacent to the existing roadways it is recommended that this request be approved for Gatokoko Road (Military Rd) and Perimeter Road and due to the existing sidewalk on the west side of Dauphin Island Parkway from Military Rd up to

Nicholas Lane and then from Magnolia Lane to Neshota Dr. It is recommended that this request be approved for Dauphin Island Parkway.

**RECOMMENDATION**

**Subdivision:** The request is recommended for tentative approval, subject to the following conditions:

- 1) dedication to provide sufficient right-of-way to provide 50-feet from the centerline of Dauphin Island Parkway;
- 2) dedication of sufficient radius at the intersection of Dauphin Island Parkway and Gatotkoco Drive (Old Military Road), to be approved by City Engineering and Traffic Engineering and conform to AASHTO standards;
- 3) the placement of a note on the Final Plat stating that the development be limited to the three existing curb cuts to Dauphin Island Parkway and three existing curb cuts to Gatotkoco Drive (Old Military Road), with any changes to the existing driveways to be approved by Traffic Engineering and ALDOT and conform to AASHTO standards;
- 4) the subdivision process be completed prior to the issuance of any permits;
- 5) illustration of the 25-foot minimum building setback line along all road frontages;
- 6) full compliance with Engineering comments: *(1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes); 2. Provide a signature block and signature from the Traffic Engineering Department; 3. Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); 4. Add a note to the PUD drawing stating that a Land Disturbance Permit will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); 5. Add a note that any work within the Gatotkoco Road ROW will require a City of Mobile ROW Permit – Engineering Department (208-6070); 6. Add a note that any work within the Dauphin Island Parkway ROW will require a Permit from ALDOT – 9<sup>th</sup> Division; and 7. Add a note that any sidewalk work within the Dauphin Island Parkway ROW will require a City of Mobile ROW Permit – Engineering Department (208-6070).);*
- 7) full compliance with Traffic Engineering comments: *(Driveway number, size, location and design to be approved by Traffic Engineering (and ALDOT for Dauphin Island Parkway, if necessary) and conform to AASHTO standards.)*
- 8) placement of a note on the Final Plat stating that approval of all applicable Federal, state and local agencies is required for wetland issues, if any, prior to the issuance of any permits or land disturbance activities;
- 9) placement of a note on the Final Plat stating that the approval of all applicable federal, state and local agencies is required for endangered or threatened species prior to the issuance of any permits or land disturbance activities, as depicted on the preliminary plat;
- 10) compliance with Fire comments: *(All projects must comply with the requirements of the 2003 International Fire Code, including Appendices B through D, as adopted by the City of Mobile, and the 2003 International Existing Building Code, as appropriate); and*
- 11) compliance with MAWSS comments: *(MAWSS has water and sewer services available, but a Capacity Assurance application for **additional** sewer service has not been applied*

for. MAWSS cannot guarantee **additional** sewer service until a Capacity application is approved by Volkert Engineering, Inc.).

**Planned Unit Development:** The Based on the preceding Planned Unit Development (PUD) request is recommended for approval, subject to the following conditions:

- 1) submittal of a detailed narrative describing the project in detail as required in Section 64-5.D. of the Zoning Ordinance;
- 2) revision of the site plan to show **ALL** improvements on the site, including, but not limited to, dimensions of parking stalls or drive aisles, indicate paving materials, and indicate the seating capacity of the funeral home and other information needed to ensure parking compliance;
- 3) depiction of dumpster locations on the site plans to comply with Section 64-4.D.9 of the Zoning Ordinance or placement of a note on the site plans stating that dumpsters will be completely screened from view and connected to sanitary sewer or placement of a note stating how garbage will be removed;
- 4) compliance with Urban Forestry Comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64));*
- 5) compliance with Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering (and ALDOT for Dauphin Island Parkway, if necessary) and conform to AASHTO standards.);*
- 6) compliance with Engineering Comments: *(1. Provide all of the required information on the Final Plat (i.e. signature blocks, signatures, certification statements, legal description, required notes); 2. Provide a signature block and signature from the Traffic Engineering Department; 3. Add a note to the Plat stating that storm water detention will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); 4. Add a note to the PUD drawing stating that a Land Disturbance Permit will be required for any future addition(s) and/or land disturbing activity in accordance with the Storm Water Management and Flood Control Ordinance (Mobile City Code, Chapter 17 , Ordinance #65-007 & #65-045); 5. Add a note that any work within the Gatokoco Road ROW will require a City of Mobile ROW Permit – Engineering Department (208-6070); 6. Add a note that any work within the Dauphin Island Parkway ROW will require a Permit from ALDOT – 9<sup>th</sup> Division; and 7. Add a note that any sidewalk work within the Dauphin Island Parkway ROW will require a City of Mobile ROW Permit – Engineering Department (208-6070).);*
- 7) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;
- 8) placement of a note on the site plan stating that approval of all applicable federal, state and local environmental agencies for wetlands or floodplain issues is required prior to the issuance of any permits or land disturbance activities;
- 9) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development Approval prior to the issuance of any permits; and

- 10) the submission to the Planning Section, two copies of the revised site plan, illustrating the conditions of approval.

**Planning Approval:** Based on the preceding Planning Approval request is recommended for approval, subject to the following conditions:

- 1) submittal of a detailed narrative describing the project in detail as required in Section 64-5.D. of the Zoning Ordinance;
- 2) revision of the site plan to show ALL improvements on the site, including, but not limited to, dimensions of parking stalls or drive aisles, indicate paving materials, and indicate the seating capacity of the funeral home and other information needed to ensure parking compliance;
- 3) depiction of dumpster locations on the site plans to comply with Section 64-4.D.9 of the Zoning Ordinance or placement of a note on the site plans stating that dumpsters will be completely screened from view and connected to sanitary sewer or placement of a note stating how garbage will be removed;
- 4) compliance with Urban Forestry Comments: *(Property to be developed in compliance with state and local laws that pertain to tree preservation and protection on both city and private properties (State Act 61-929 and City Code Chapters 57 and 64));*
- 5) compliance with Traffic Engineering Comments: *(Driveway number, size, location and design to be approved by Traffic Engineering (and ALDOT for Dauphin Island Parkway, if necessary) and conform to AASHTO standards.);*
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- 7) placement of a note on the site plan stating that approval of all applicable Federal, state and local agencies for endangered, threatened or otherwise protected species is required prior to the issuance of any permits or land disturbance activities;
- 8) placement of a note on the site plan stating that approval of all applicable federal, state and local environmental agencies for wetlands or floodplain issues is required prior to the issuance of any permits or land disturbance activities;
- 9) placement of a note on the site plan stating that any changes to the site plan will require new applications for Planning Approval and Planned Unit Development Approval prior to the issuance of any permits; and



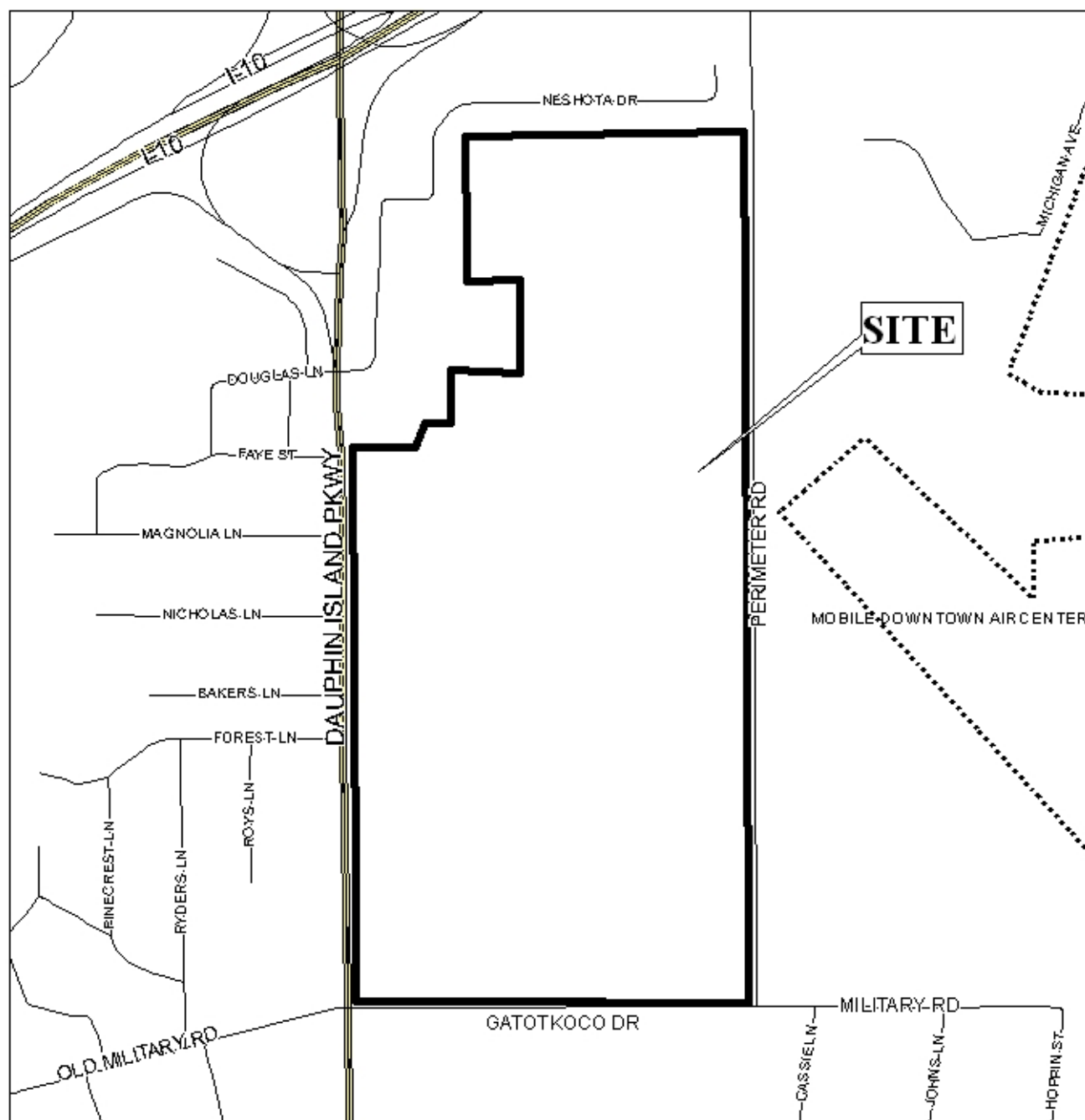
10) the submission to the Planning Section, two copies of the revised site plan, illustrating the conditions of approval.

**Rezoning:** Based on the preceding, the rezoning is recommended for Approval, subject to the following conditions:

- 1) completion of the subdivision process; and
- 2) full compliance with all municipal codes and ordinances

**Sidewalk Waiver:** The Based upon the preceding, this application for waiver of the construction of the sidewalks along Dauphin Island Parkway, Gatotkoco Drive (Old Military Road) and Perimeter Road are recommended for approval.

## LOCATOR MAP



APPLICATION NUMBER 44, 45, 46, 47 & 48 DATE February 7, 2013

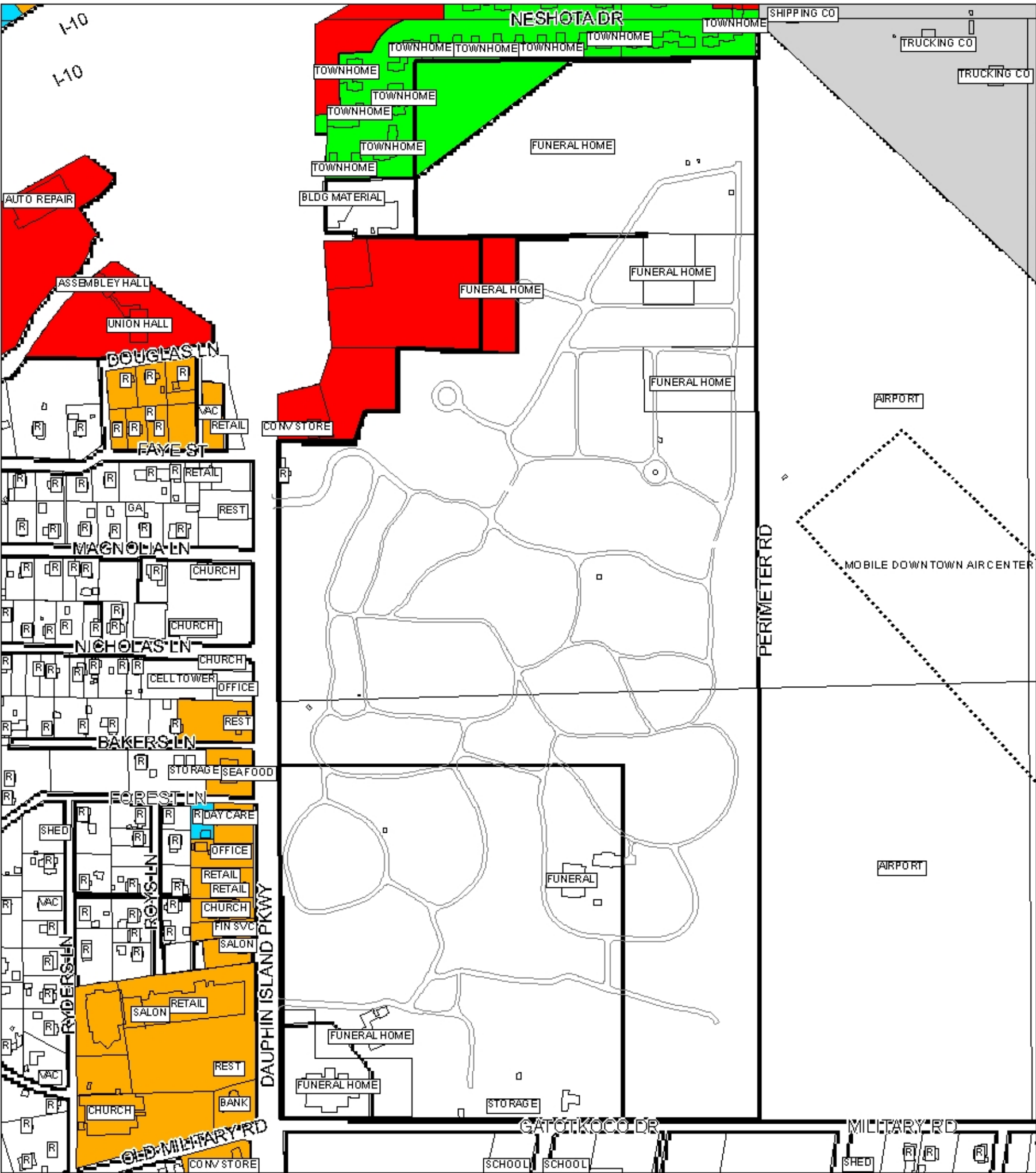
APPLICANT S.E. Cemeteries of AL & S.E. Funeral Home of Alabama

REQUEST Subdivision, PUD, Planning Approval, Side walk Waiver, Rezoning from R-1, R-3 and B-3 to R-1



NTS

PLANNING COMMISSION  
VICINITY MAP - EXISTING ZONING



Townhomes are located to the north of the site.  
Brookley Field is located to the east of the site.

APPLICATION NUMBER 44, 45, 46, 47 & 48 DATE February 7, 2013  
APPLICANT S.E. Cemeteries of AL & S.E. Funeral Home of Alabama  
REQUEST Subdivision, PUD, Planning Approval, Sidewalk Waiver, Rezoning from R-1, R-3 and B-3 to R-1

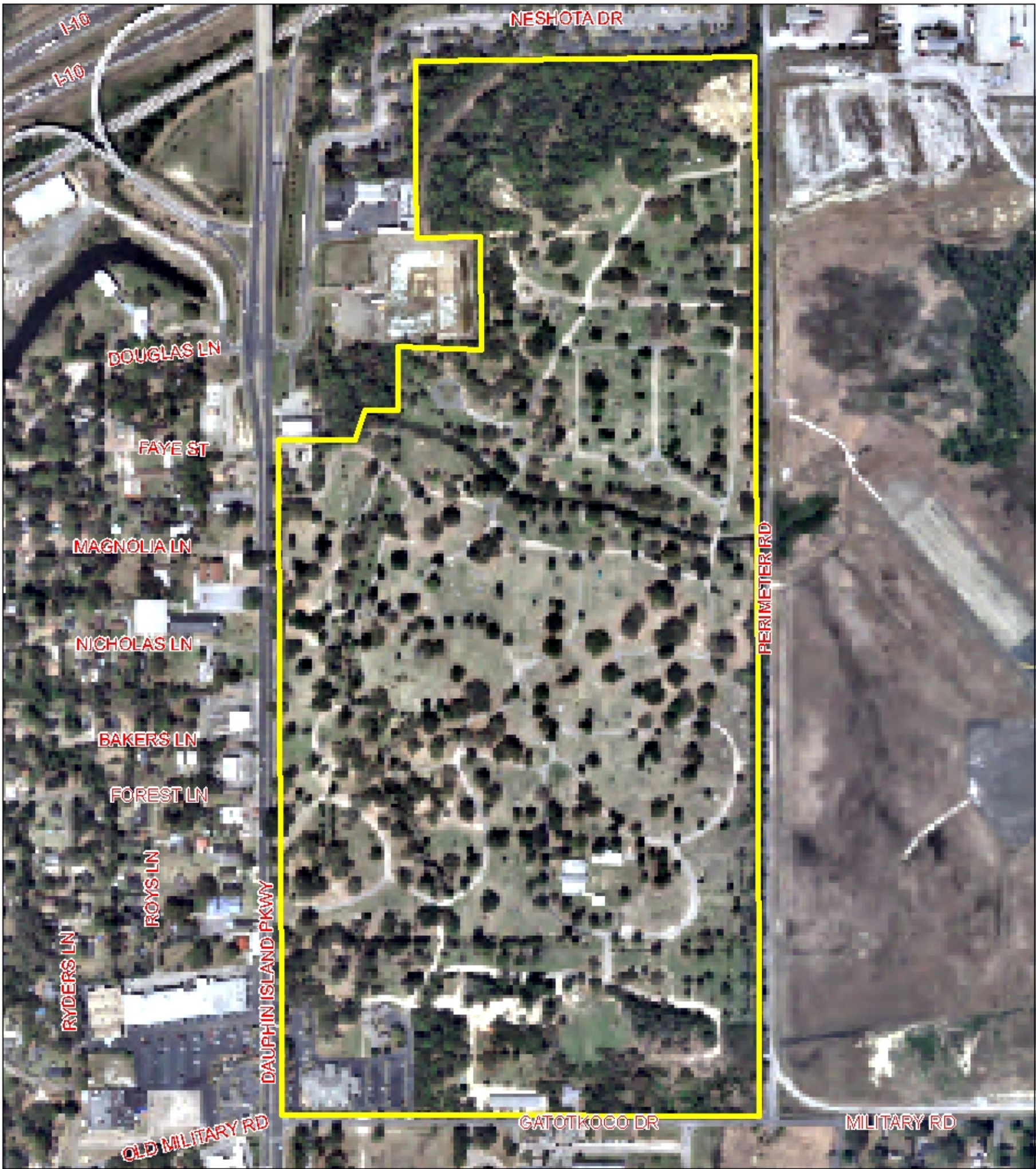
LEGEND

R-1	R-2	R-3	R-A	R-B	HB	T-B	B-1	LB-2	B-2	B-3	B-4	B-5	I-1	I-2





PLANNING COMMISSION  
VICINITY MAP - EXISTING ZONING



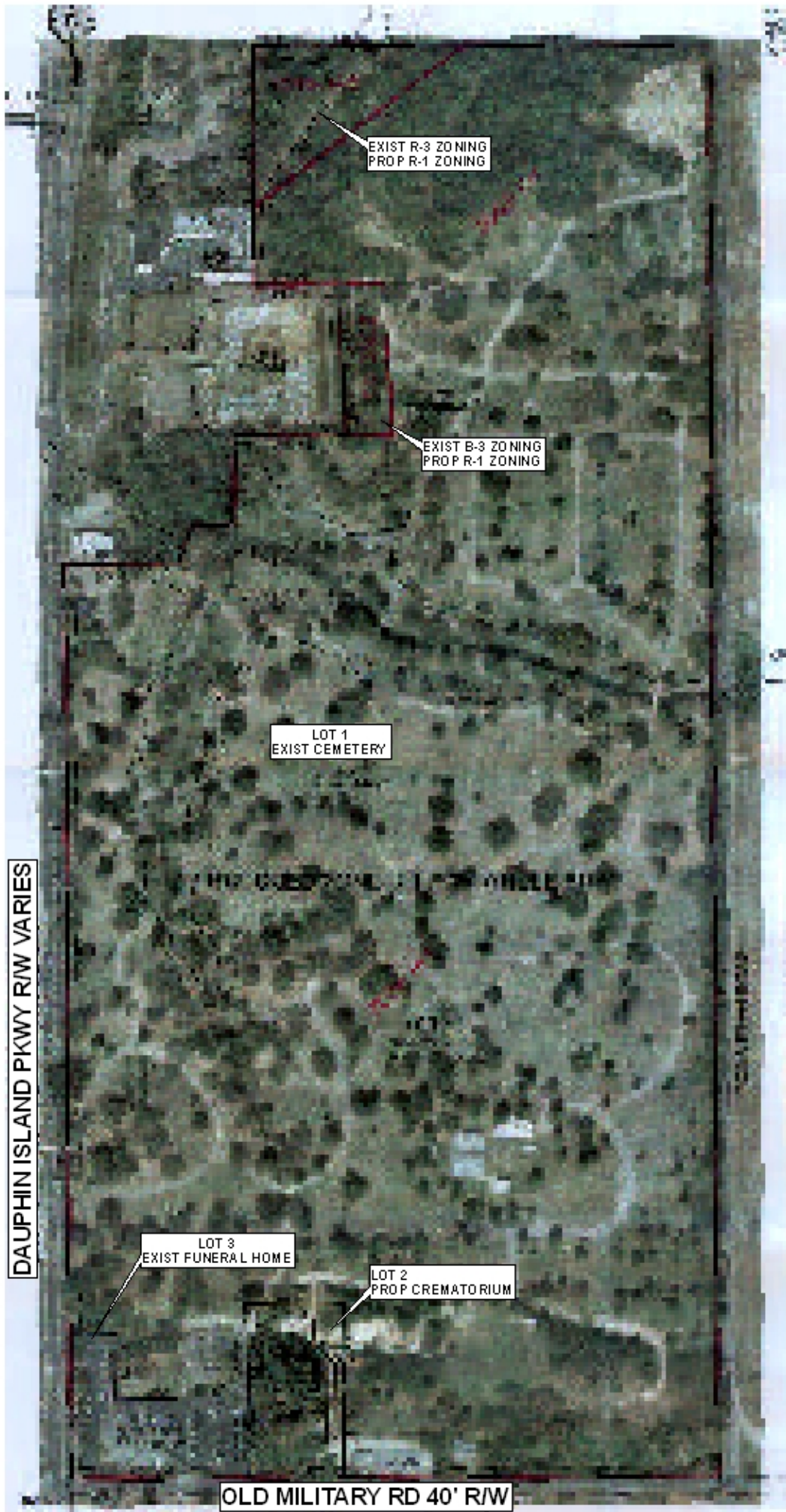
Townhomes are located to the north of the site.  
Brookley Field is located to the east of the site.

APPLICATION NUMBER 44, 45, 46, 47 & 48 DATE February 7, 2013  
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REQUEST Sub division, PUD, Planning Approval, Sidewalk Waiver, Rezoning from R-1, R-3 and B-3 to R-1





SITE PLAN

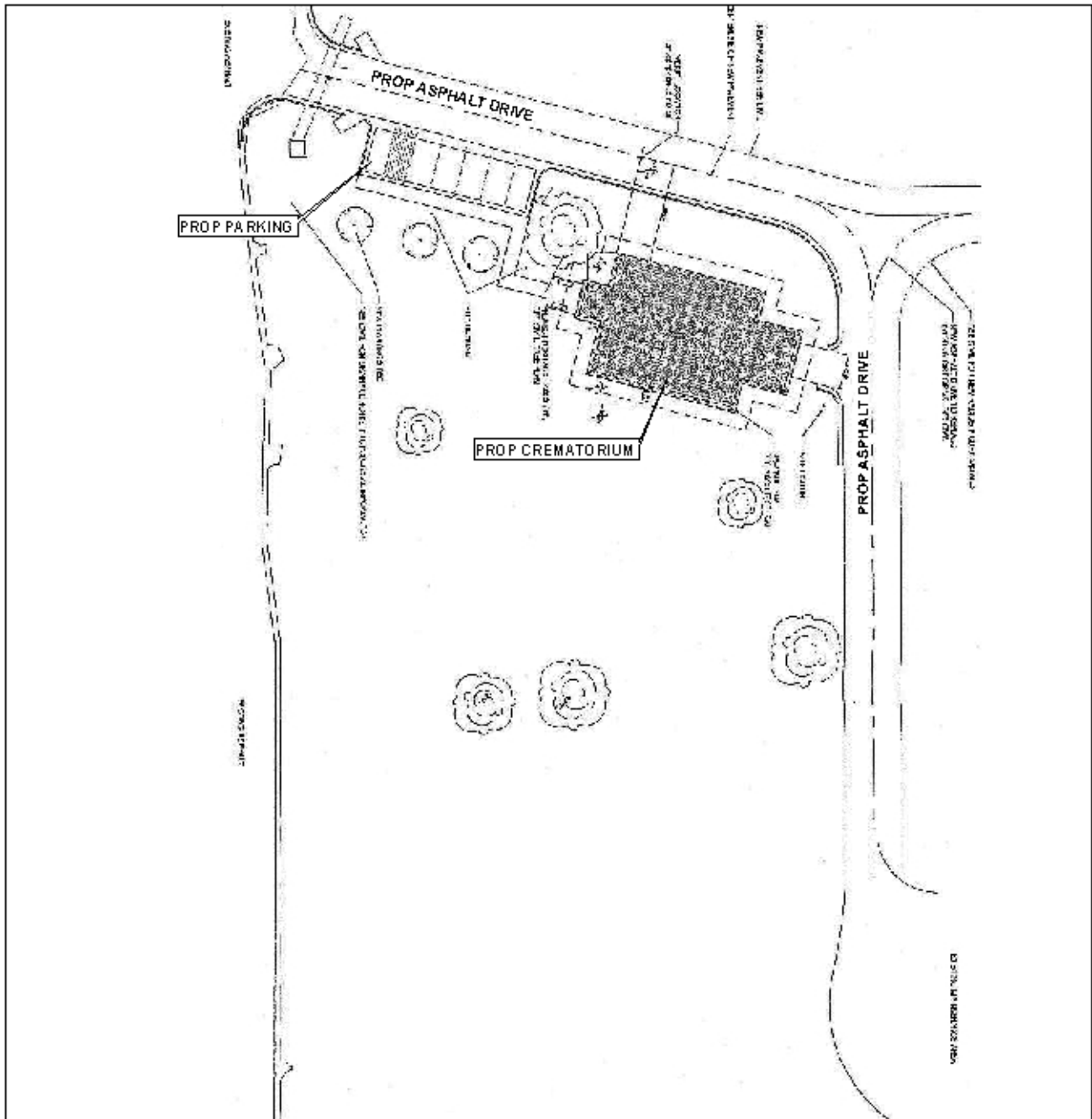


The site plan illustrates the proposed zoning and crematorium.

APPLICATION NUMBER 44, 45, 46, 47 & 48 DATE February 7, 2013  
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REQUEST Sub division, PUD, Planning Approval, Sidewalk Waiver, Rezoning from R-1, R-3 and B-3 to R-1



## DETAIL SITE PLAN



APPLICATION NUMBER 44, 45, 46, 47 & 48 DATE February 7, 2013

APPLICANT S.E. Cemeteries of AL & S.E. Funeral Home of Alabama

REQUEST Subdivision, PUD, Planning Approval, Side walk Waiver, Rezoning from R-1, R-3 and B-3 to R-1



NTS